

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

David Goulding, Howard Salamon, Robin Goulding)
and John O'Shea,

Plaintiffs

vs.

Mark Miller,

Defendant.

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) Case No. 1:22-cv-05224

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) Judge Sharon Johnson Coleman

) Magistrate Judge Finnegan

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DEFENDANT'S MOTION TO EXTEND TIME FOR DISCOVERY

Now comes the Defendant, Mark Miller, by his attorneys and moves for an order extending the discovery schedule for the following reasons:

1. On February 9, 2024, Magistrate Judge Finnegan set a discovery schedule for the case: - Written discovery to be propounded by April 9, 2024 and responded to by July 9, 2024; Party Depositions to be completed by September 9, 2024; Non-party depositions to be completed by October 24, 2024; and Expert Witness disclosures to be completed by October 31, 2024.

2. On April 1, 2024, Defendant propounded his First Discovery Request to Plaintiffs ("Discovery Request").

3. Plaintiffs failed to respond to Defendant's Discovery Request.

4. Defendant filed a Motion for Sanctions against Plaintiffs for failing to respond to discovery.

5. Magistrate Judge Finnegan, after a hearing on Defendant's Motion for Sanctions, granted Defendant's Motion.

6. Defendant still has not had an opportunity to review any documents that should have been produced in discovery and therefore cannot properly prepare for taking party and

non-party depositions or retaining expert witnesses in accordance with the existing discovery schedule.

Wherefore, for all of the above reasons, Defendant requests that the discovery schedule be extended in the event that the case is not dismissed with prejudice.

Respectfully submitted,

Thomas F. Burke
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